

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF NORTH CAROLINA**

GENETIC TECHNOLOGIES LIMITED,

Plaintiff/Counter-Defendant,

v.

GLAXOSMITHKLINE LLC,

Defendant/Counter-Plaintiff.

Civil Action 1:12-cv-00299-CCE-JLW

**DEFENDANT/COUNTER-
PLAINTIFF GLAXOSMITHKLINE
LLC'S MOTION FOR JUDGMENT
ON THE PLEADINGS UNDER
FEDERAL RULE OF CIVIL
PROCEDURE 12(c)**

Oral Argument Requested

Through counsel and pursuant to Local Rule 7.3 and Rule 12(c) of the Federal Rules of Civil Procedure, Defendant/Counter-Plaintiff GlaxoSmithKline LLC ("GSK") hereby moves for judgment on the pleadings dismissing the First Amended Complaint of Plaintiff/Counter-Defendant Genetic Technologies Ltd. with prejudice for failure to state a claim and declaring that U.S. Patent No. 5,612,179 is invalid under 35 U.S.C. § 101. In support thereof, GSK submits the accompanying supporting brief.

Pursuant to Local Rule 7.3(c)(1), GSK believes that special considerations warrant a hearing or oral argument for this Motion. In particular, GSK believes that a hearing or oral argument will assist the Court to better understand why the Motion should be granted early in the course of this litigation, before discovery, claim construction, exchange of infringement and invalidity contentions, and other matters related to patent proceedings.

This the 23rd day of April 2014.

/s/ John F. Morrow, Jr.
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CERTIFICATE OF SERVICE

I certify that on April 23, 2013, I filed the foregoing document using this Court's ECF system, which will serve a copy via email to all counsel of record.

/s/John F. Morrow, Jr.

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